

1 WILLIAM A. ISAACSON (Admitted *Pro Hac Vice*)  
 2 (wisaacson@bsflp.com)  
 3 BOIES, SCHILLER & FLEXNER LLP  
 4 5301 Wisconsin Ave, NW, Washington, DC 20015  
 5 Telephone: (202) 237-2727; Fax: (202) 237-6131

6 JOHN F. COVE, JR. #212213  
 7 (jcove@bsflp.com)  
 8 BOIES, SCHILLER & FLEXNER LLP  
 9 1999 Harrison Street, Suite 900, Oakland, CA 94612  
 10 Telephone: (510) 874-1000; Fax: (510) 874-1460

11 RICHARD J. POCKER #114441  
 12 (rpocker@bsflp.com)  
 13 BOIES, SCHILLER & FLEXNER LLP  
 14 300 South Fourth Street, Suite 800, Las Vegas, NV 89101  
 15 Telephone: (702) 382 7300; Fax: (702) 382 2755

16 DONALD J. CAMPBELL (Admitted *Pro Hac Vice*)  
 17 (djc@campbellandwilliams.com)  
 18 J. COLBY WILLIAMS (Admitted *Pro Hac Vice*)  
 19 (jcw@campbellandwilliams.com)  
 20 CAMPBELL & WILLIAMS  
 21 700 South 7th Street, Las Vegas, Nevada 89101  
 22 Telephone: (702) 382-5222; Fax: (702) 382-0540

23 *Attorneys for Defendant Zuffa, LLC, d/b/a*  
 24 *Ultimate Fighting Championship and UFC*

BOIES, SCHILLER & FLEXNER LLP  
OAKLAND, CALIFORNIA

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

20 Cung Le, Nathan Quarry, Jon Fitch, on behalf  
 21 of themselves and all others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting  
 25 Championship and UFC,

26 Defendant.

27 Case No. 5:14-cv-05484 EJD

**28 DECLARATION OF SUZANNE E. JAFFE  
 REGARDING APPENDIX A TO ZUFFA,  
 LLC'S MOTION TO DISMISS AND IN  
 SUPPORT OF ZUFFA, LLC'S REQUEST  
 FOR JUDICIAL NOTICE**

Date: July 23, 2015

Time: 9:00 a.m.

Place: Courtroom 4

Judge: Hon. Edward J. Davila

1 Luis Javier Vazquez and Dennis Lloyd  
2 Hallman, on behalf of themselves and all  
3 others similarly situated,

4 Plaintiffs,  
5  
6 v.  
7 Zuffa, LLC, d/b/a Ultimate Fighting  
8 Championship and UFC,  
9  
10 Defendant.

Case No. 5:14-cv-05591 EJD

11 Brandon Vera and Pablo Garza, on behalf of  
12 themselves and all others similarly situated,

13 Plaintiffs,  
14  
15 v.  
16 Zuffa, LLC, d/b/a Ultimate Fighting  
17 Championship and UFC,  
18  
19 Defendant.

Case No. 5:14-cv-05621 EJD

20 Gabe Ruediger and Mac Danzig, on behalf of  
21 themselves and all others similarly situated,

22 Plaintiffs,  
23  
24 v.  
25 Zuffa, LLC, d/b/a Ultimate Fighting  
26 Championship and UFC,  
27  
28 Defendant.

Case No. 5:15-cv-00521 EJD

1 I, Suzanne E. Jaffe, declare as follows:

2       1. I am over 21 years old and have personal knowledge of the information in this  
3 declaration. I am a member of the bar of the State of California and of this court, and an associate  
4 with Boies, Schiller & Flexner LLP, counsel for Zuffa, LLC (“Zuffa”). I have personal  
5 knowledge of the facts stated in this declaration and if called to testify, I would and could  
6 competently testify to those facts.

7       2. I submit this declaration in regards to Appendix A, attached to Defendant Zuffa,  
8 LLC’s Consolidated Notice of Motion and Motion to Dismiss Plaintiffs’ Complaints Pursuant to  
9 Fed. R. Civ. P. 12(b)(6), and in support of Zuffa’s Request for Judicial Notice in support of its  
10 Motion to Dismiss Plaintiffs’ Complaints Pursuant to Fed. R. Civ. P. 12(b)(6). Zuffa requests  
11 judicial notice of 10 documents identified as Exhibits A-J and attached to this Declaration.

12       3. On February 23, 2015, I accessed the Florida State Boxing Commission website at  
13 <http://www.myfloridalicense.com/dbpr/pro/sbc/event-results.html> and downloaded the official  
14 MMA results from an event promoted by “WSOF” that took place on July 5, 2014 and which  
15 included a bout between Jon Fitch and Dennis Hallman. Exhibit A is a true and correct copy of  
16 that record.

17       4. On February 23, 2015, I accessed the Nevada State Athletic Commission website  
18 at <http://boxing.nv.gov/results/Results/> and downloaded the official MMA results from an event  
19 promoted by “WSOF, LLC/MMAWC, LLC” that took place on June 14, 2013 and which  
20 included a bout between Jonathan Parker Fitch and Joshua Ray Burkman. Exhibit B is a true and  
21 correct copy of that record.

22       5. On February 23, 2015, I accessed the Florida State Boxing Commission website at  
23 <http://www.myfloridalicense.com/dbpr/pro/sbc/event-results.html> and downloaded the official  
24 MMA results from an event promoted by “World Series of Fighting” that took place on October  
25 26, 2013 and which included a bout between Jon Fitch and Marcelo Alfaya. Exhibit C is a true  
26 and correct copy of that record.

27       6. On February 23, 2015, I accessed the California State Athletic Commission  
28 website at <http://www.dca.ca.gov/csac/events/results/2014.shtml> and downloaded the official

1 MMA results from an event titled “WSOF 16,” that took place on December 13, 2014 and which  
2 included a bout between Jon Fitch and Rousimar Palhares. Exhibit D is a true and correct copy of  
3 that record.

4       7. On February 23, 2015, I accessed the Missouri Division of Professional  
5 Registration Office of Athletics website at <http://pr.mo.gov/athletics-mmaresults.asp> and  
6 downloaded the official MMA results from an event promoted by “Titan Fighting Champ” that  
7 took place on August 30, 2013 and which included a bout between Dennis Hallman and Dan  
8 Hornbuckle. Exhibit E is a true and correct copy of that record.

9       8. On February 23, 2015, I accessed the California State Athletic Commission  
10 website at <http://www.dca.ca.gov/csac/events/results/2013.shtml> and downloaded the official  
11 MMA results from an event for promoter BAMMA that took place on May 31, 2013 and which  
12 included a bout between Gabriel Ruediger and Scott Catlin. Exhibit F is a true and correct copy  
13 of that record.

14       9. On February 23, 2015, I accessed the Nevada State Athletic Commission website  
15 at <http://boxing.nv.gov/results/Results/> and downloaded the official MMA results from an event  
16 promoted by “MMAWS, LLC dba: WSOF” that took place on January 17, 2015 and which  
17 included a bout between Jake Sequoyah Shields and Brian E.L. Foster. Exhibit G is a true and  
18 correct copy of that record.

19       10. On February 17, 2015, I personally submitted an Open Public Records Act request  
20 to the State of New Jersey Office of the Attorney General in the Department of Law and Public  
21 Safety through their online system. I requested a public record of a bout between Quinton  
22 “Rampage” Jackson and Joey Beltran that took place in Atlantic City, New Jersey on November  
23 15, 2013.

24       11. On February 18, 2015, I received an email from Bruce Solomon, Deputy Attorney  
25 General from the State of New Jersey responding to my request. Mr. Solomon provided three  
26 documents in response to my request: (1) the SACB- Scoring Detail for Jose Beltran v. Quinton  
27 Jackson 11/15/2013, (2) the 11152013 NJSACB Official Weights, Results, Suspensions and  
28

1 Staff, and (3) a Receipt summarizing the records request and responsive documents. Exhibit H is  
 2 a true and accurate copy of a compilation of these documents.

3       12. On February 27, 2015, I used the Security and Exchange Commission's website  
 4 (<http://www.sec.gov/edgar/searchedgar/companysearch.html>) to search for Viacom Inc.'s public  
 5 filings. From the Security and Exchange Commission's website, I downloaded a copy of Viacom  
 6 Inc.'s Annual 10-K Report and exhibits filed November 13, 2014. Exhibit I is a true and accurate  
 7 copy of excerpts of this document.

8       13. On February 23, 2015, I downloaded from the Federal Trade Commission's  
 9 website the "Closing Letter to Counsel for Zuffa LLC," containing Matter Number 111 0136 and  
 10 dated January 25, 2012. This letter acknowledges the FTC closed its investigation into Zuffa's  
 11 acquisition of Explosion Entertainment, LLC (Strikeforce). I downloaded this Letter at  
 12 <http://www.ftc.gov/enforcement/cases-proceedings/closing-letters/zuffa-lhc-explosion-entertainment-lhc>. Exhibit J is a true and accurate copy of this letter.

14       14. Additionally, Zuffa has attached Appendix A to its Motion to Dismiss as a  
 15 reference guide. Appendix A provides a chart of identical or substantially similar paragraphs  
 16 from the four Complaints in the above-captioned matters listed by paragraph number. Appendix  
 17 A treats the Complaint in *Le et al. v. Zuffa*, No. 5:14-cv-05484-EJD, as the master Complaint and  
 18 provides the corresponding identical or substantially similar paragraph numbers for the  
 19 Complaints in the three cases administratively related to *Le — Vazquez et al. v. Zuffa*, 5:14-cv-  
 20 05591-EJD, *Vera et al. v. Zuffa*, 5:14-cv-05621-EJD; and *Ruediger et al. v. Zuffa*, 5:15-cv-00521-  
 21 EJD.

22  
 23       I declare under penalty of perjury that the foregoing statements are true and correct.  
 24 Executed this 27th day of February, 2015 in Oakland, California.

25  
 26  
 27  
 28

\_\_\_\_\_  
 /s/ Suzanne E. Jaffe  
 SUZANNE E. JAFFE